

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 382, CUTTACK, THURSDAY, MARCH 25, 2010/ CHAITRA 4, 1932

DEPARTMENT OF SCHOOL & MASS EDUCATION

NOTIFICATION

The 17th March, 2010

No.4808-XIVE-Codes-3/2010/SME.—Government in School & Mass Education Department, in pursuance to their Resolution No.17802/SME, dated the 29th June, 2001 and in consultation with Law Department have been pleased to appoint the following Advocates as Senior Standing Counsel / Standing Counsels noted below against their names to look after all the Court Cases of the School & Mass Education Department in Orissa High Court / State Administrative Tribunal, Cuttack/Bhubaneswar and State Education Tribunal, Bhubaneswar with effect from the date they assume charge of their office subject to the terms and conditions mentioned below :—

Sl. No.	Name of the Advocate	Designation
(1)	(2)	(3)
1	Sri Rangadhar Behera	Senior Standing Counsel
2	Sri Bibhu Prasad Tripathy	Standing Counsel
3	Sri Saroja Kanta Samal	Standing Counsel
4	Sri Pravat Kumar Panda	Standing Counsel, SET, Bhubaneswar.
5	Sri Mrutyunjay Bisoi	Standing Counsel
6	Sri Karunakar Rath	Standing Counsel
7	Sri Akshaya Pandey	Standing Counsel
8	Sri Satyanarayan Mohapatra	Standing Counsel
9	Anjushree Jena	Standing Counsel
10	Sri Ramanath Acharaya	Standing Counsel

1. The Senior Standing Counsel/ Standing Counsels will be exclusively responsible to aid and advise the School & Mass Education Department.
2. The Senior Standing Counsel & Standing Counsels will get retainer fee and daily fee from the date of joining as applicable to the Government and Additional Government Advocates of High Court respectively as provided in the Law Officers of the High Court (Recruitment, Remuneration and Duties) Rules, 1974 with its amendment from time to time. The bill of fees and T.A. of the Standing Counsels shall be drawn after countersignature of the Sr. Standing Counsel and the bill of fees and T.A. of the Senior Standing Counsel shall be drawn after countersignature of the Advocate General and disbursed to them.
3. The appointment is terminable at any time with one month's notice from either side or on payment of one month retainer fee in lieu thereof.
4. The period of appointment will be for three years with effect from the date they assume the charge of the office.
5. They will be entitled to T.A. and D.A. as admissible to Class-I Officers of the State.
6. The appointment can be terminated without notice and without any compensation in case of gross neglect, misconduct and inefficiency.
7. The assignment of the Standing Counsels shall be decided by the Senior Standing Counsel in consultation with Learned Advocate General, Orissa. The Standing Counsels for Principal Bench, Orissa Administrative Tribunal, Bhubaneswar and Cuttack Bench, Cuttack will be decided by the Learned Advocate General, Orissa. The Sr. Standing Counsel / Standing Counsels of School & Mass Education Department should function under the Administrative control of Learned Advocate General, Orissa like the existing Government Advocate and Standing Counsel of the Office of the Advocate General.
8. The Senior Standing Counsel shall be held responsible, if any Court goes unrepresented on behalf of School & Mass Education Department because, in the past, Hon'ble High Court has taken a serious view of the non appearance on behalf of the School & Mass Education Department before the Courts. In such case(s), the same will be viewed seriously.
9. The Senior Standing Counsel shall ensure that the Standing Counsels in the Cell shall attend to all types of legal activities for each case such as making available the copy of the writ petitions and any other petitions arising out of it and paper book and other ancillary papers to Govt./ Field Offices concerned on

the very next day of the receipt of the same, preparation of P.W.C /Counter, Time Petition and filing of the same in the Courts / Tribunals. The Sr. Standing Counsel shall finally scrutinize and approve the Counter Affidavits / Writ Petitions / Misc. Petitions drafted by the Standing Counsels before they are filed on behalf of School & Mass Education Department. The Senior Standing Counsel shall ensure that the Counter Affidavit / Show Cause Affidavits before their filing in the Courts / Tribunal by the Field Officers are complete in all form and vetted by the Government, if the matter involves Government Policy Matters / Financial Matters.

10. The Senior Standing Counsel shall submit a monthly report by 5th of the following month to Government in School & Mass Education Department, stating the opening balance at the beginning of the month (Court wise) cases received/filed during the month (Court wise) /P.W.C/ Counter filed (Court wise)/disposal of cases (Court wise). He will further submit a report on the overall performance of the Standing Counsels.
11. The Senior Standing Counsel shall maintain and ensure smooth functioning of the office of the School & Mass Education Cell, Cuttack and Bhubaneswar and ensure punctuality of the employees of the Cells. He will further ensure that the case records / files are being placed before the concerned Standing Counsels, assigned by Learned Advocate General / Senior Standing Counsel to conduct the case one day in advance as per the cause list.
12. The Senior Standing Counsel shall ensure that the field functionaries coming to the Cell for discussion / finalisation of draft are being duly attended to by the concerned Standing Counsels on the same day and disposed off. He will also check the Visitors Register of the Cell and ensure proper maintenance of the Register by the Section Officer of the Cell. He should maintain cordial relations with the staff of the Cell and infuse a sense of administrative responsibility among the staff of the Cell and see that the objective of opening a separate Cell for School & Mass Education Department is being fulfilled.
13. The Senior Standing Counsel and Standing Counsels shall function with the aid of their private chamber and library.
14. This has been issued with the concurrence of the Law Department vide **U.O.R. No.307/L. dated the 2nd March, 2010.**

// 4 //

The Notification No. 13379-XIV-Codes-04/2004(Pt.)/SME., dated the 19th June, 2007 issued by School & Mass Education Department is hereby superseded. The appointments of the Senior Standing Counsel & Standing Counsels made therein are hereby terminated with immediate effect.

They are advised to handover the records / documents, if any, to the new Senior Standing Counsel / Standing Counsels.

This Notification will take immediate effect.

By order of the Governor

VANDANA KUMARI JENA

Principal Secretary to Government